

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**WAYNE B. LYNCH,  
Administrator of the Estate of  
Donovon W. Lynch, Deceased**

**Plaintiff,**

**v.**

**SOLOMON D. SIMMONS, III, a/k/a  
SOLOMON D. SIMMONS,  
Individually And In His Official  
Capacity As A Police Officer For  
The City of Virginia Beach, Virginia**

**Defendants.**

**Case No.: 2:21-cv-00341**

**Judge: Arenda L. Wright Allen**

**PLAINTIFF'S NOTICE OF SETTLEMENT IN PRINCIPLE  
AND MOTION TO VACATE ALL DEADLINES**

The parties respectfully notify the Court that the parties have agreed in principle to settle the above-captioned matter. Counsel for the parties are in the process of preparing and finalizing the Settlement Agreement and Stipulated Dismissal ("Agreement"). The parties intend to file the Agreement as soon as practicable, but respectfully request that the parties are given four days to file the said Agreement. Accordingly, Defendant respectfully requests that the Court vacate all deadlines as set forth in the November 9<sup>th</sup>, 2022 Order on the Joint Motion to Extend Time.

Plaintiff is filing this Notice and Motion with both Defendant's approval and permission.

December 19<sup>th</sup>, 2022

Respectfully submitted,

Law Office of Justin Fairfax, PLLC

By: /s/ Justin E. Fairfax  
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***Counsel for Plaintiff***

Dated: December 19<sup>th</sup>, 2022

**Certificate of Service**

I hereby certify that on the 19th day of December 2022, the foregoing Joint Stipulation of Voluntary Dismissal was electronically filed with the Court using the Court's CaseFileXpress system, which will automatically serve a copy of said filing via email to counsels of record for Defendant, Solomon D. Simmons and the City of Virginia Beach.

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***Counsel for Plaintiff***

Dated: December 19<sup>th</sup>, 2022

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**[PROPOSED] ORDER**

Upon consideration of Defendant's Notice of Settlement In Principle and Motion To Vacate All Deadlines and the entire record herein, it is this \_\_\_\_\_ day of \_\_\_\_\_, 2022,

**ORDERED** that Defendant's Notice of Settlement In Principle and Motion To Vacate All Deadlines be and is hereby **GRANTED**; and it is

**ORDERED** that the parties have up to and include December 23<sup>th</sup>, 2022 to file a Stipulated Settlement Agreement and Dismissal; and it is

**FURTHER ORDERED** that all deadlines in the above-captioned case is and hereby **VACTED**.

**SO ORDERED.**

\_\_\_\_\_  
Judge Arenda L. Wright Allen

Date: \_\_\_\_\_, 2022

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